

MONTANA FISH WILDLIFE & PARKS

MEPA/NEPA/23-1-110 MCA CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of Proposed State Action

FWP proposes to accept a conservation easement on approximately 160 acres of land adjacent to the boundaries of Giant Springs State Park - Morony Unit from JVR& V INC (the Ehnes Family).

2. Agency Authority for the Proposed Action

FWP has authority to provide development and access for public recreation. **23-2-101 MCA.**

3. Name of Project

Ehnes Conservation Easement.

4. Name, Address and Phone Number of Project Sponsor (if other than the agency)

5. If Applicable:

Estimated Construction/Commencement Date NA

Estimated Completion Date 11/01/03.

Current Status of Project Design (% complete) 85%

6. Location Affected by Proposed Action (county, range and township)

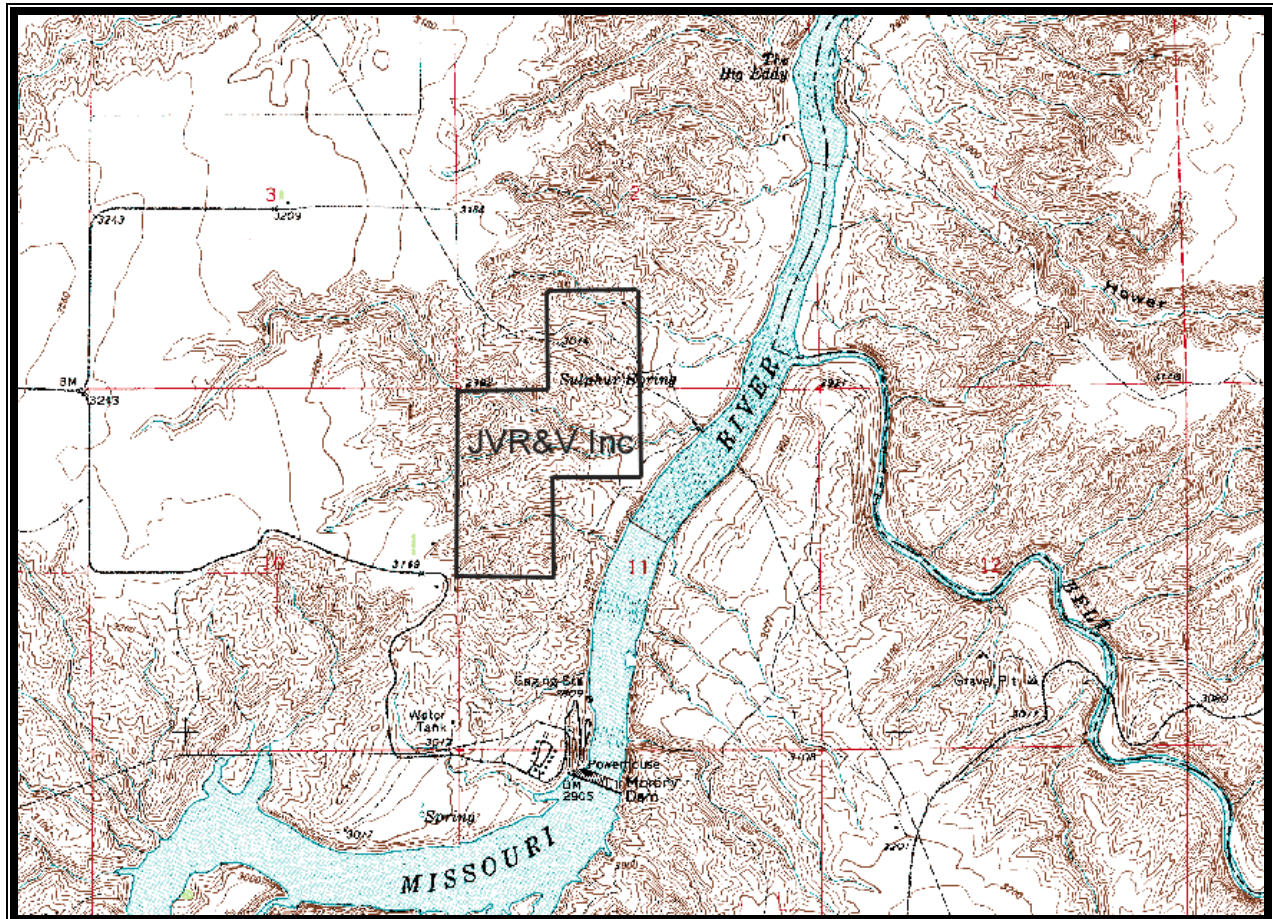
Cascade County: SE ¼ SW1/4 Sec 2 , R5E, T21N and N ½ NW1/4 Sec 11, R5E, T21N and the SW ¼ nw1/4 Sec 11, R5E, T21N.

See Site Map – Page 4

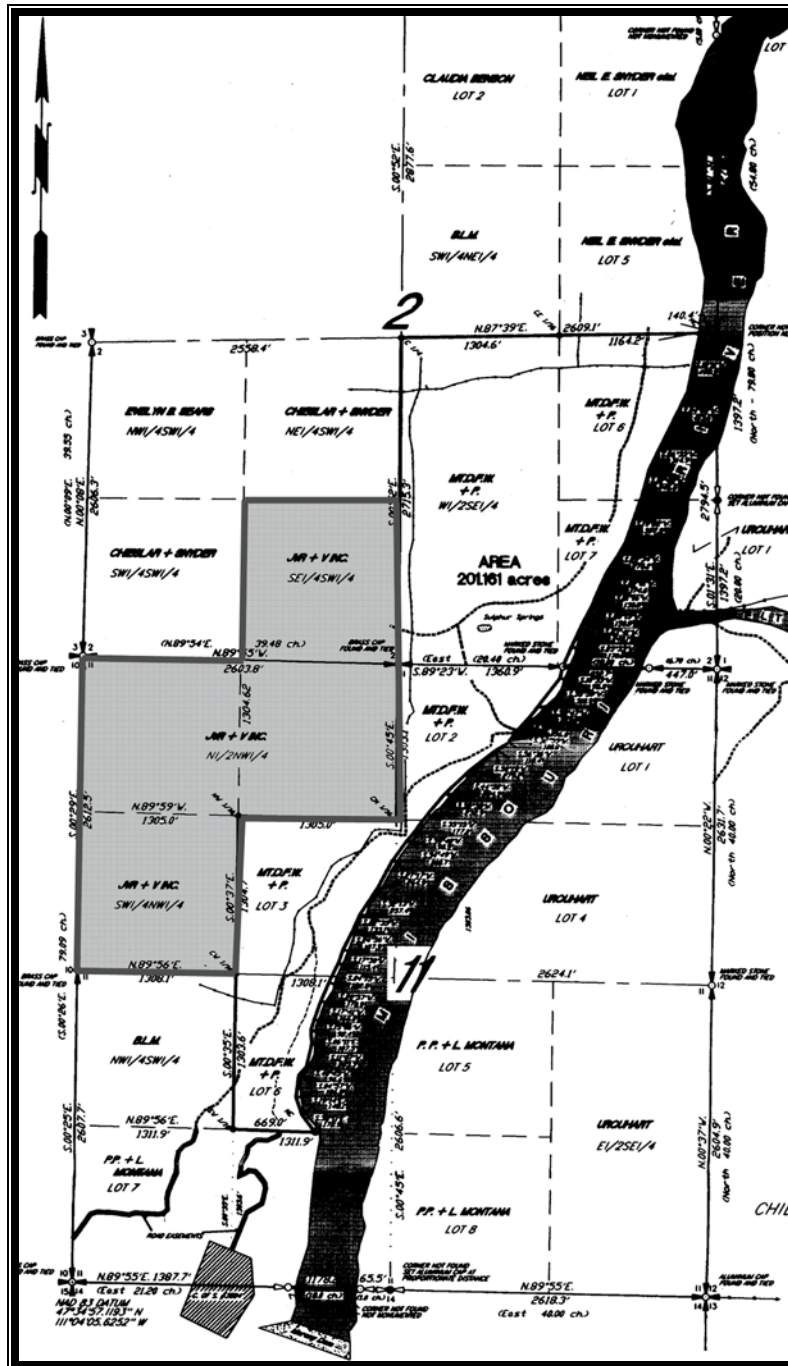
7. Project Size: Estimate the number of acres that would be directly affected that are currently:

- | | | |
|------------------------------|-------------------------|----------------|
| (a) Developed: | (d) Floodplain | <u>0</u> acres |
| residential | | |
| industrial | (e) Productive: | |
| | irrigated cropland..... | <u>0</u> acres |
| (b) Open Space / Woodlands / | dry cropland..... | <u>0</u> acres |
| Recreation..... | forestry | <u>0</u> acres |
| | rangeland..... | <u>0</u> acres |
| (c) Wetlands/Riparian | other | <u>0</u> acres |
| Areas | | |
| | | |

- 8a. Map/site plan: attach an original 8 1/2" x 11" or larger section of the most recent USGS 7.5' series topographic map showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.



8B. Site Map



9. Narrative Summary of the Proposed Action or Project including the Benefits and Purpose of the Proposed Action.

The Ehnes family (JVR&V Inc) has owned land adjacent to the Sulfur Springs for over 20 years. In that time they have developed a series of motorcycle trails that show extraordinary stewardship of the land. This easement will allow the public to prevent additional intrusive development on the Ehnes property and enhance the sulfur springs lands by protecting the viewsheds in the area. All these benefits will be at very low costs to Fish, Wildlife and Parks. In exchange Fish, Wildlife and Parks will grant the JVR&V Inc a road easement to cross FWP lands granted to Fish, Wildlife and Parks in the 1999 transfer of these lands from Montana Power Company to Fish, Wildlife and Parks. The road easement is on an existing road that the Ehnes' have used for years. Total length of this road easement is less than ¼ mile. By granting this roads easement the Ehnes family will legally access BLM lands which they either currently have an easement or are in the process of negotiating an easement across.

The trade off is clear. By granting a very short road easement Fish, Wildlife and Parks can gain perpetual scenic protection of these historic lands while actively encouraging a responsible landowner to continue in their already strong stewardship program.

10. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

(a) Permits:

Agency Name Permit Date Filed/#

Bureau of Land Management

(b) Funding:

Agency Name Funding Amount

FWP

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Agency Name Type of Responsibility

None

11. List of Agencies Consulted During Preparation of the EA:

American Public Land Exchange

USDA Forest Service

Bureau of Land Management

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- < Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- ⚡ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ⚡⚡ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PART II. ENVIRONMENTAL REVIEW

PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT ³				Can Impact Be Mitigated ³	Comment Index
	Unknown ³	None	Minor ³	Potentially Significant		
< a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?		X				
< c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

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PHYSICAL ENVIRONMENT

2. <u>AIR</u> Will the proposed action result in:	IMPACT ³				Can Impact Be Mitigated ³	Comment Index
	Unknown ³	None	Minor ³	Potentially Significant		
< a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects , will the project result in any discharge which will conflict with federal or state air quality regs? (Also see 2a)		X				
f. Other		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

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PHYSICAL ENVIRONMENT

3. <u>WATER</u> Will the proposed action result in:	IMPACT ³				Can Impact Be Mitigated ³	Comment Index
	Unknown ³	None	Minor ³	Potentially Significant		
< a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of flood water or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)		X				

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m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		X				
n. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

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PHYSICAL ENVIRONMENT

4. <u>VEGETATION</u> Will the proposed action result in:	IMPACT ³				Can Impact Be Mitigated ³	Comment Index
	Unknown ³	None	Minor ³	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				
f. For P-R/D-J , will the project affect wetlands, or prime and unique farmland?		X				
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

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PHYSICAL ENVIRONMENT

< 5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT ³				Can Impact Be Mitigated ³	Comment Index
	Unknown ³	None	Minor ³	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. For For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		X				
i. For For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		X				
j. Other:		X				

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HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT ³				Can Impact Be Mitigated ³	Comment Index
	Unknown ³	None	Minor ³	Potentially Significant		
a. Increases in existing noise levels?		X				
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:		X				

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HUMAN ENVIRONMENT

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT ³				Can Impact Be Mitigated ³	Comment Index
	Unknown ³	None	Minor ³	Potentially Significant		
a. Alteration of, or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other: _____		X				

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HUMAN ENVIRONMENT

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT ³				Can Impact Be Mitigated ³	Comment Index
	Unknown ³	None	Minor ³	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other:		X				

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HUMAN ENVIRONMENT

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT ³				Can Impact Be Mitigated ³	Comment Index
	Unknown ³	None	Minor ³	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:		X				

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HUMAN ENVIRONMENT

10. PUBLIC SERVICES/TAXES/UTILITIES Will the proposed action result in:	IMPACT ³				Can Impact Be Mitigated ³	Comment Index
	Unknown ³	None	Minor ³	Potentially Significant		
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased used of any energy source?		X				
< e. Define projected revenue sources		X				
< f. Define projected maintenance costs.		X				
g. Other: _____		X				

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HUMAN ENVIRONMENT

11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT ³				Can Impact Be Mitigated ³	Comment Index
	Unknown ³	None	Minor ³	Potentially Significant		
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
<c. Alteration of the quality or quantity of recreational or tourism opportunities and settings? (Attach Tourism Report)		X				
d. For P-R/D-J , will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		X				
e. Other:		X				

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HUMAN ENVIRONMENT

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT ³				Can Impact Be Mitigated ³	Comment Index
	Unknown ³	None	Minor ³	Potentially Significant		
<a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J , will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a)		X				
e. Other:		X				

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HUMAN ENVIRONMENT

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole:	IMPACT ³				Can Impact Be Mitigated ³	Comment Index
	Unknown ³	None	Minor ³	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. For P-R/D-J , is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		X				
g. For P-R/D-J , list any federal or state permits required.		X				

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1. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:

No Action.

Land will remain in private ownership, subject to development that could impact the Morony Unit.

Project as proposed.

The preferred alternative. The Ehnes Conservation Easement will encourage responsible stewardship of these lands preserving the historic uses and viewsheds. The low cost of baseline studies and long term maintenance at this site makes it particularly attractive.

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

No mitigation is necessary.

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3. Based on the significance criteria evaluated in this EA, is an EIS required? If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

An EIS is not required.

With no anticipated significant impacts to the environment or the public the EA is the appropriate level of analysis for this land donation.

4. Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

A comment period of 30 days will be announced in the Great Falls Tribune and Helena Independent Record.

5. Duration of comment period if any.
30 days

6. Name, title, address and phone number of the Person(s) Responsible for Preparing the EA:

Dan Smith
Giant Springs State Park Manager
4600 Giant Springs Road
Great Falls, MT. 59405 (406)454-5840.

Emailed comments can be referred to dsmith@state.mt.us

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PART III. NARRATIVE EVALUATION AND COMMENT

The Ehnes family commitment to this property should be commended. Their stewardship is to be commended and their desire to put their property into a conservation easement shows their long-term commitment to both this property and their neighbors.

Fish, Wildlife and Parks and the USDA Forest Service have put considerable effort into preserving the adjacent Sacajawea/Sulfur Springs site. To have a landowner help preserve and enhance this site is encouraging, and helps underscore the importance of the area.

Fish, Wildlife and Parks should work with cooperative landowners to preserve the historic, recreational, and cultural values of our parks. This project does exactly that. At the very low cost associated with the baseline data and long term maintenance of the project this Conservation Easement exemplifies how we can work with landowners to achieve all our goals.

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